

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 10, subsection 20(a), the Department of Human Services amends Chapter 80, "Procedure and Method of Payment," Iowa Administrative Code.

This amendment requires providers who bill using paper claim forms to submit both the crossover claim form and the Explanation of Medicare Benefits (EOMB) when billing Medicaid for dually eligible members. Submission of both the claim form and the denied EOMB from Medicare will provide essential claim information, such as diagnosis codes and procedure modifiers, so that claims can be processed properly. This change is expected to eliminate the manual data entry of over 20,000 claim forms per month and associated data entry errors that delay payment.

2011 Iowa Acts, House File 649, allows the Department to implement the Medicaid cost containment strategies recommended by Governor Branstad. This change is one of the recommended strategies. This change is part of a larger effort to improve processing of Medicare crossover claims that will generate combined savings estimated at \$275,000 annually.

The Council on Human Services adopted this amendment on August 10, 2011.

The Department finds that notice and public participation are impracticable because the Department's appropriation for the fiscal year beginning July 1, 2011, assumes the implementation of the cost containment strategies recommended by the Governor without a delay for notice and public comment. Therefore, this amendment is filed pursuant to Iowa Code section 17A.4(3).

The Department also finds, pursuant to Iowa Code section 17A.5(2)"b"(1), that the normal effective date of this amendment should be waived, as authorized by 2011 Iowa Acts, House File 649, section 10, subsection 20(a).

This amendment is also published herein under Notice of Intended Action as **ARC 9725B** to allow for public comment.

This amendment does not provide for waivers in specified situations because the savings assumed in the Department's appropriations will not be achieved if waivers are provided. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 10, subsection 20(a).

This amendment became effective September 1, 2011.

The following amendment is adopted.

Amend paragraph **80.2(2)"h"** as follows:

~~h. Providers who send an Explanation of Medicare Benefits or a crossover claim billing claims for Medicare beneficiaries that do not cross over electronically to the Iowa Medicaid enterprise are exempt from filing these forms for those beneficiaries.~~ shall submit:

(1) Form 470-4707, Medicare Crossover Invoice (Institutional), along with the Explanation of Medicare Benefits (EOMB) for institutional services.

(2) Form 470-4708, Medicare Crossover Invoice (Professional), along with the Explanation of Medicare Benefits (EOMB) for professional services.

[Filed Emergency 8/16/11, effective 9/1/11]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/7/11.